

LEVINE LEE LLP

MEMO ENDORSED

400 Madison Avenue
New York, NY 10017
212-223-4400 main
www.levinelee.com

Steven W. Kessler
212-257-5928 direct
skessler@levinelee.com

April 16, 2025

Via ECF

The Honorable Jessica G.L. Clarke
United States District Judge – Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: Rapaport v. Epstein, 24-cv-7439-JGLC

Dear Judge Clarke:

We represent Defendant Mitchell K. Pallaki in the above-captioned action, and we write to respectfully request that Mr. Pallaki be “terminated” as a defendant on the electronic docket in *Rapaport v. Doe # 1 et al.*, 23-cv-6709-JGLC (the “6709 Action”) so that he is not listed as an appellee on the electronic docket in *Rapaport v. Doe #1*, 25-841 (2d Cir.) (the “Appeal”). Mr. Pallaki was not named as a defendant in the operative complaint in the 6709 Action (see 6709 Action, ECF No. 38), and Plaintiff Gideon Rapaport’s appeal of the Court’s order addressing that complaint has nothing to do with Mr. Pallaki (see 6709 Action, ECF No. 102 (appealing the Court’s actions as to Messrs. Iyer and Garrett)). Nevertheless, because Mr. Pallaki is listed on the electronic docket in the 6709 Action as a defendant and has not been “terminated,”¹ he has been automatically listed on the electronic docket in the Appeal as a Defendant-Appellee and has been receiving electronic case notifications. We have been informed by the case manager in the Appeal that if Mr. Pallaki is “terminated” as a defendant on the electronic docket in the 6709 Action, he will likewise be “terminated” from the electronic docket in the Appeal. Accordingly, we respectfully request that the Court “terminate” Mr. Pallaki as a defendant in the 6709 Action.

¹ Mr. Pallaki was not named as a defendant in the operative complaint (i.e., the First Amended Complaint) in the 6709 Action (see 6709 Action, ECF No. 38 (First Amended Complaint); see also 6709 Action, ECF No. 101 ((Opinion and Order addressing the First Amended Complaint)), and he seems to be listed as a defendant in the 6709 Action only because he was named as a defendant in Mr. Rapaport’s Second Amended Complaint (see 6709 Action, ECF No. 78), which was filed without the Court’s leave and which was never served on Mr. Pallaki. At bottom, that Mr. Pallaki is listed as a defendant on the electronic docket in the 6709 Action seems to be an administrative error.

We thank the Court for its consideration.

Respectfully submitted,

Levine Lee LLP

/s/ Steven W. Kessler

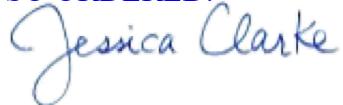
Seth L. Levine

Steven W. Kessler

cc: All Counsel of Record and *Pro Se* Plaintiff Gideon Rapaport (via ECF)

Application GRANTED. The Clerk of Court is respectfully directed to update the docket for Case No. 23-cv-6709 to terminate Defendant Mitchell Pallaki, as Mr. Pallaki is not and was never named as a defendant in that case.

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge

Dated: April 17, 2025
New York, New York